THE HON'BLE SRI JUSTICE V.V.S.RAO

WRIT PETITION Nos.746 and 747 of 2007

Dated: 09.02.2007

Between:

M. Narapu Reddy and another.

..... PETITIONERS

AND

The Commissioner of Endowments, Hyderabad, and others.

.....RESPONDENTS

THE HON'BLE SRI JUSTICE V.V.S. RAO

WRIT PETITION Nos.746 and 747 of 2007

COMMON ORDER:

Land admeasuring Ac.0.20 cts in survey No.550-A

situated at Tadipatri town, which belongs to Sri Varadaiah choultry, third respondent herein, was leased out to M/s Smt. J.C. Nagalakshmamma Memorial Junior College for Girls. Third respondent gave a complaint to the Assistant Commissioner of Endowments, Anantapur, whereupon second respondent initiated action under Section 83 of the Andhra Pradesh Charitable and Hindu Religious Institutions & Endowments Act, 1987 (the Act, for brevity) in O.A.Nos.1 and 2 of 2005. In these O.As, the petitioners were parties apart from third respondent choultry. After conducting regular enquiry, by separate orders dated 27.11.2006, second respondent passed orders under Section 83(1) of the Act directing eviction of the petitioners and the Assistant Commissioner was also directed to take necessary police protection under Section 84(1) of the Act and remove the encroachment. eeling aggrieved by the same, the petitioners filed two separate revision petitions under Section 92 of the Act on 10.12.2006 before first respondent. They also sought stay of operation of the orders of the second respondent by filing interlocutory applications. As these applications as well as the main revision petitions were not taken up, the petitioners filed instant writ petitions seeking direction to first respondent to pass orders on the revision petitions.

The duly constituted revisional authority under Section 92 of the Act is the jurisdictional Regional Joint Commissioner of Endowments, Tirupati. However, it appears that the Deputy Commissioner of Endowments, Kurnool, who passed orders under Section 83(1) of the Act is holding Full Additional Charge (FAC) of the post of the Regional Joint Commissioner, Tirupati, and therefore, the petitioners were constrained to file the revision petitions before first respondent. This could be the reason for some delay in passing the orders under interlocutory applications filed by the petitioners. Be that as it is, the learned Assistant Government Pleader for Endowments submits that the cases stand posted to 24.02.2007. If that be so, this Court observes that first respondent may dispose of either the main matters or the interlocutory matters on that day itself, after giving opportunity to the counsel for the petitioners.

The writ petitions, with the above observations and directions, are accordingly disposed of. No costs.

(**V.V.S.RAO, J**)

09th February, 2007
Note: Issue CC by 13.02.2007.
B/o
ghn